

Lahontan Regional Water Quality Control Board

MINUTES
October 9-10, 2013

Regular Meeting

Hampton Inn Suites Barstow
2710 Lenwood Road
Barstow, CA 92311

Board Members Present

Peter C. Pumphrey, Chair, Bishop
Amy Horne, Ph.D., Truckee
Don Jardine, Markleeville
Keith Dyas, Rosamond
Eric Sandel, Truckee
Kimberly Cox, Helendale

Board Member Absent

None

Legal Counsel

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

State Board Staff Present

DeeDee Dadamo, State Water Board Member
Cris Carrigan, Director, Office of Enforcement
Gita Kapahi, Director, Office of Public Participation

Regional Board Staff Present

Patty Z. Kouyoumdjian, Executive Officer
Lauri Kemper, Assistant Executive Officer
Mike Plaziak, Sup. Engineering Geologist
Douglas Smith, Sup. Engineering Geologist
Cindi Mitton, Senior WRCE
Richard Booth, Senior Engineering Geologist
Scott Ferguson, Senior WRCE
Jay Cass, Senior WRCE

Patrice Copeland, Senior Engineering Geologist
Anne Holden, Engineering Geologist
Lisa Dernbach, Staff Engineering Geologist
John Morales, WRCE
Eric Taxer, WRCE
Christina Velasquez, Engineering Geologist
Sue Genera, Executive Assistant, Board Clerk

REGULAR MEETING

Wednesday, October 9, 2013- 3:00 p.m.

To view the full Agenda and listen to the audio file of this meeting [CLICK HERE](#)

INTRODUCTIONS

Chairman Pumphrey called the meeting to order at 3:02 p.m. on October 9, 2013. The Chair introduced Board Members and welcomed State Board Member, DeeDee D'Adamo. Ms. D'Adamo addressed the Board and gave brief update on issues before the State Board.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board and Water Board staff.

OTHER BUSINESS

1. Minutes of the Regular Meeting of July 17, 2013, held in Barstow, CA.
 - **Motion:** Moved by Dr. Horne, seconded by Mr. Sandel, and **unanimously carried** to adopt minutes as presented.

Click here to view the adopted [July 2013 Minutes](#)

REPORTS

2. Reports by Water Board Chair and Board Members

Mr. Jardine wanted to recognize Tahoe staff member, Cindy Wise, for giving an excellent presentation September 25, at the Tahoe Sierra IRMW. Mr. Jardine announced that the 2013 River Symposium would be held the first week in November. Chair Pumphrey seconded the praise of Cindy Wise and was also happy to announce that the Los Angeles Department of Water and Power, Mono Lake Committee, California Trout, and California Department of Fish and Wildlife entered into an agreement creating a historic partnership to protect the Mono Basin.

3. Executive Officer's Report

Ms. Kouyoumdjian, Executive Officer, presented the [October Written Report](#) and gave additional updates on:

- In the Victorville Office three new staff have been added. Christina Velasquez, Engineering Geologist, will be working on DOD and other cleanup sites. Bill Muir, Engineering Geologist, will be working on DOD cleanups and the Barstow perchlorate groundwater pollution site. Kerri O'Keefe, Scientific Aid, will assist the land disposal unit.
- John Steude, formerly with the DOD unit, has moved to the Cleanup and Site Investigation Unit in the Lake Tahoe Office and will be taking over the case load for Jeb Brathovde who retired this summer. John will be working on solar thermal projects, northern landfills, and underground storage tank cleanups.
- Congratulations to Tim Post who will be leaving our Victorville Office for a promotion to Supervisor for the Underground Tank Cleanup Program in Sacramento. Tim has been with the Victorville Office since 1987. Thank you Tim for your excellent work at the Lahontan Region.
- Our second All-Staff Training has been scheduled for November 6 - 7 in South Lake Tahoe. We are focusing our two day effort on organizational improvement, enforcement, communication, and team building skills.

- The Nearshore Evaluation Report should be finalized and released later this month. Our staff is coordinating with the researchers and with NDEP and TRPA in anticipation of the Report release.
- The State Board has convened a Marijuana Task Force to address the increasing water quality problems associated with marijuana cultivation. Chris Carrigan, with our Office of Enforcement, will head up this statewide effort and Eric Taxer from our staff will represent our region.
- I received a draft settlement agreement and Cleanup and Abatement Order for the N & M Dairy in Hinkley. The public comment period closed this past Friday and I am reviewing the comments and settlement agreement with the Advisory Team. The draft settlement agreement would assess a liability of \$376,850; with half going to the State Board's Waste Discharge Fund and the other half to a SEP, placing the Dairy's 310 acres along the Mojave River channel into a conservation easement. All Dairy operations have ceased and the cows have been removed from the site. Replacement water is being proposed for affected residents and waste is being removed. I hope to make a decision on this proposed settlement in October and welcome any input from the Board members.
- I have sent out for public comment two requests I received to amend the Cleanup and Abatement Order for the Hinkley whole house replacement water program. Public comments are due to me on October 21.
 - a) The first request was from two community residents, asking that I reconsider how we draw our plume boundaries. This issue was raised at the July Board Meeting in Barstow. The residents asked that I require PG&E to include as part of the plume all monitoring wells that exceed 3.1 ppb Cr(VI). Currently, PG&E is required to draw the plume boundary line to connect any monitoring wells located within one-half mile of any other monitoring well that have exceeded 3.1 ppb Cr (VI) or 3.2 ppb Cr (T). Therefore, exceedances of the 3.1 and 3.2 ppb limits are not considered to be part of the plume if they are further than one-half mile from the plume. Expanding the plume to include all concentrations above 3.1 ppb Cr (VI) and 3.2 ppb Cr (T) would also expand the replacement water program, which is currently limited to wells within one-mile of the contiguous plume.
 - b) The second request was from PG&E, and requested that future eligible residents under the whole-house replacement program be limited to only those that exceed the 3.1 ppb within the contiguous plume, and not expanded out to those within one-mile of the plume (commonly referred to as the buffer.) PG&E proposes that those under the replacement program now would continue under the program, and those receiving bottled water would continue to receive bottled water.

OTHER BUSINESS

4. Discussion of the Water Board's Role and Authority in Managing the Discharge of Salts to Groundwater of the Lahontan Region (transcript)

Mike Plaziak, Supervising Engineering Geologist, provided a power point presentation, and responded to Board Member questions. The Board expressed their concerns over assimilative capacity, and economic analysis, while maintaining the best quality water possible. Mr. Plaziak appreciated Board direction and asked for their assistance in requesting additional economists or an economist contract at the State Board.

Dinner Recess Approximately 5:17 p.m.-7 p.m.

REGULAR MEETING: Wednesday, October 9, 2013 – 7:00 p.m.

INTRODUCTIONS

The Chair called the meeting to order at 7:05 p.m. and introduced Board Members. Ms. Kouyoumdjian introduced Legal Counsel, State Water Board and Water Board staff.

5. PUBLIC FORUM

None.

OTHER BUSINESS

6. Status Report on Activities Concerning Chromium Contamination from Pacific Gas and Electric (PG&E) Hinkley Compressor Station

Lisa Dernbach with the Lahontan Water Board, Ian Webster, IRP Manager, Billy Hernandez, Community Advisory Committee Member, and Kevin Sullivan representing PG&E, presented status updates on recent efforts and activities in the Hinkley community and answered Board questions.

Public Comment

- Daron Banks raised a concern over what he considered misleading statements made in PG&E's presentation. He requested that section 3 (a) of CAO No. R6V-2011-0005A1, be added back into the Order. He also requested that testing be done in between independent plume circles found in the east to the main plume boundary to determine if the circles are attached to the main plume and qualify for the WHRW program.
- Ghassan Nassar addressed the Board and stated that the contaminated water in Hinkley has taken a toll not only on the health of the residents but the economic welfare of the town.
- Billy Hernandez requested that section 3(a) of CAO No. R6V-2011-0005A1, be added back into the Order.

Note: The Board took a break from 8:30 - 8:40 p.m.

OTHER BUSINESS

7. Waste Discharge Requirement Discussion, Pacific Gas & Electric Company's Hinkley Compressor Station, San Bernardino County

Anne Holden, with the Lahontan Water Board, presented options for permitting agricultural treatment expansions used in chromium remediation and answered Board Member questions. A significant concern from the Board was the drawdown of groundwater from agricultural uses and the effect this would have on domestic wells. The consensus of the Board for permitting method was a method that moves slowly and mitigates each step before moving forward regardless of the option chosen.

Public Comment

- Billy Hernandez stated that the CAC is concerned with the agricultural water uses in close proximity to residents and the effect this pumping will have on domestic wells.
- Daron Banks seconded the comments of Mr. Hernandez and added his concern with chromium 3 being left in the ground and potentially being returned to chromium 6.
- Kevin Sullivan expressed his support for any permitting option the Board deemed appropriate.

Note: The Board recessed at 10:04 p.m.

REGULAR MEETING CONTINUED: Wednesday, October 10, 2013 – 8:30 a.m.**INTRODUCTIONS**

The Chair called the meeting to order at 8:31 a.m. and introduced Board Members. Ms. Kouyoumdjian introduced Legal Counsel, State Water Board and Water Board staff.

5. PUBLIC FORUM

Lester White addressed the Board and spoke about his non-profit organization, *Hinkley Partnership for Health Living*. Mr. White stated that his organization is working with the Mojave Water Agency to develop an integrated water plan to install a healthy water pipeline in Hinkley. He anticipates bringing the final proposal to the Board in January. Ms. Cox recommended that Mr. White contact Rural Water for their assistance.

OTHER BUSINESS**8. Discussion of the Water Board Enforcement Program**

Scott Ferguson with the Lahontan Water Board presented the Quarterly Violations Report and went into detail on violations of interest including progress and successes. Mr. Ferguson then gave an update on the deliverables from the Enforcement Subcommittee and took Board direction.

Eric Taxer with the Lahontan Water Board gave an overview of what Supplemental Environmental Projects (SEP) are and how SEP policy works. Mr. Taxer reported on the progress of the SEP Subcommittee, introduced the conceptual SEP Pilot Project, and took Board comments and direction. Lisa Wallace, Executive Director, Truckee River Watershed Council, addressed the Board and gave overview of what the Truckee River Watershed Council does and how they could partner with the Water Board in implementing a Pilot Project. The Board requested the staff, assisted by the SEP Subcommittee, bring back a package which may include several Board Resolutions and recommendations that will address: 1) overall SEP Policy; 2) criteria describing partnership organizations; 3) proposed agreement with a partner including fiscal processes; 4) potential project evaluation criteria for use by the partner and the Board in approving projects; 5) a recommendation from the menu of projects and the necessary documents to enable the Board to move forward with a pilot project with the Truckee River Watershed Council.

Public Comment

- Tim Gobler with the Mojave Water Agency addressed the Board in favor of the use of IRWMs in SEP projects.

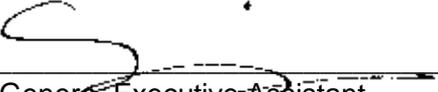
Note: The Board took a break from 9:15 - 9:24 a.m.

9. **CLOSED SESSION****

The Board recessed into closed session from 10:50-11:34 a.m. to discuss matters related to personnel. There were no reportable actions.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 11:34 a.m. on October 10, 2013.

Prepared by:  _____ Adopted: 11-13-13
Sue Genera, Executive Assistant